

Exhibit 35

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BPCA throws \$7 Million into a money pit, literally

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July 31, 2014- By Steven E. Greer

You have heard of the metaphorical “money pit”. Well, the Battery Park City Authority is throwing money into a money pit, literally, at the parks conservancy building on Battery Place.

The BPCA board met today and voted to approve \$3 Million in funding to salvage the poorly designed, poorly constructed, nonfunctioning, “geothermal well” in the parks office. This is in addition to the cost of the original geothermal well that never worked. The conversation was at times unintelligible, interrupted by loud laughter from board member Martha Gallo, but the money spent thus far on this “experimental” hearing system is at least \$4 Million.

Designed by Dattner Architects, Brickens Contracting, the \$17.5 Million Parks Conservancy building was to be powered by geothermal energy, primarily for bragging rights allowing the BPCA to claim that it is “green”. Atelier Ten was the “energy consultant”.

The wells were supposed to tap into underground water and recirculate it to heat and cool the building. However, they tapped in salt water, which should have been no surprise since the ocean sits above. Now, the BPCA wants to spend more money to try to salvage this doomed project.

In 2012, the BPCA hired an engineering firm to “study” the problem. In 2013, a second design firm, [D’Onofrio Contractors](#), was awarded \$323,000 to come up with a plan to fix the wells. That final plan recommended scrapping the geothermal concept altogether. Elite Construction was also awarded \$294,000 for the work.

Now, in 2014, the BPCA will pay Tomco Mechanical Corporation at least \$3 Million more to implement the salvage plans. When one board member asked, “What is the net financial impact (of this new resolution for more funds)?”, a second member replied, “Between three and four million.”.

Why so many different construction companies are involved was not explained. The BPCA clearly wants to spread the contract work around (Each contractor [usually becomes a campaign donor](#) to the governor).

The board then discussed whether or not to sue the original design and construction teams to help offset the new expanses, and the board explained that “In-house counsel decided against” suing. No explanation or legal opinion was offered.

Before the vote on the resolution was taken, the entire board broke out in loud laughter for unknown reasons.

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